

Again, Mr. Speaker, you wouldn't believe this unless you dig deep into the numbers. We spend more in tax credits and tax loopholes and tax giveaways than we do on all other discretionary spending accounts combined.

What do I mean by that?

We have what we call "mandatory spending" here. That's Medicare, Medicaid, Social Security, and interest on the national debt. We call that "mandatory spending." Everything else—roads, bridges, courts, parks, the environment—is what we call "discretionary spending." Everybody knows what the tax rate is. Everybody knows they're paying into the tax system. We give away things in the tax system—promote this idea; promote that idea; give away this pot of money. We give away more through the Tax Code—we spend more through the Tax Code—than we spend on all other aspects of government combined, but the spending is hidden.

I've put up a few of what we'll call "income tax expenditures" here. Let's see what that is.

For example: exclusion of interest on public purpose State and local bonds. Right? That seems pretty innocuous, State and local bonds. We want to encourage State and local governments to take responsibility, so we're going to allow those bonds to pay interest tax-free. Well, okay, but it's not free. Somebody else is paying for it. Those folks who have those bonds aren't paying for it, but the rest of America has to pick up the tab.

Here is one: individual retirement accounts. Right? If you put money in your IRA, we want you to save for your retirement. We don't tax you on that money, but it's not free. Somebody else is paying that tax. It's just not those folks who are saving their money in their IRAs.

I'm not saying these things aren't good ideas. I'm saying we have to talk about where this money is coming from. I'm closer to death than I am to birth, Mr. Speaker. This \$16.7 trillion that we've borrowed from America's kids, I'm going to be dead before we pay that back, but it is going to be an albatross around their economic neck for another generation or two or three, and we're making those choices today. We're spending money through the Tax Code instead of through the appropriations process.

The FairTax says: no more. The FairTax says: a tax isn't about manipulating behavior. A tax is about collecting revenue to fund the necessities of a government.

We can argue about what those necessities are. Should it include the President's health care bill? Should it not? Should it include wars in Iraq and Afghanistan? Should it not? Should it include environmental protections? Should it not? We can argue about all of those things, but that's what revenue is for. You collect the revenue to fund those priorities that we, the American people, believe in.

But what we use our Tax Code for today is for the Congress of the United States, for the President of the United States and other folks with political power and influence to pick winners and losers through the Tax Code, so much so that we spend more money through the Tax Code than all other aspects of government combined—everything on the discretionary side.

It wasn't this way when we got started. Back in 1913, the passage of the 16th Amendment allowed Americans to have an income tax for the very first time. Do you know what they said, Mr. Speaker? You've probably heard this before. They said, This is only going to be a very small tax on the very wealthiest of Americans.

My calculations, using CPI, Mr. Speaker, tell me that it was a 1 percent tax on folks who made over \$9 million a year. On \$9 million a year, a 1 percent tax—I'm pretty sure we could get 51 percent of the folks to vote for that—but over time, that income tax grew so that it touches every single American family. Thirteen hours, on average, an American family spends to comply with the Tax Code. And for what? It destroys opportunity. It hides spending. It protects from scrutiny those items that this U.S. House of Representatives has decided are worthy of taxpayer expense.

We have a choice: don't lower wages in America. In fact, study after study says, if we pass the FairTax, we're going to see wages go up. It's going to increase economic activity and make us a magnet for capital from around the world. Why in the world are we borrowing money from China when we could just change our Tax Code, and money that American companies have already earned would flow back into this country in order to create jobs?

The FairTax says: no more. Let's have one tax rate on everything that Americans buy and consume.

I'll close with this, Mr. Speaker. Here is the catch. We are the only OECD country in the world—the Organisation for Economic Co-operation and Development—that does not have a consumption tax.

Now, what does that mean?

It means, when we build a Ford right here in the United States of America, that Ford has buried in the cost of that Ford that 15.3 percent payroll tax that every employee and employer has to pay, the income tax that every employee and employer has to pay—all of the tax burdens of the United States of America. Again, the highest corporate tax rate in the world is buried in the price of that Ford. When it gets to Germany, they add their Value Added Tax on top of that, and they ask, Who wants to buy a Ford? But the BMW that's leaving Germany, where they have a consumption tax, doesn't have those taxes buried in it, Mr. Speaker. In fact, it's tax free because the tax goes on top of it at the sale. So, when they ship that BMW overseas, it comes over here completely tax free, and then

we add on top of it our income taxes, our payroll taxes, our corporate taxes.

That's an unlevel playing field, and the person it disadvantages is not the owner of Ford. The person it disadvantages is the employee at Ford, who needs that job. We used to have a Ford line and a GM line in the city of Atlanta, Mr. Speaker. They're both closed. They are both closed today because they couldn't make it work.

We can bring those jobs back to America. More importantly, we can prevent jobs from leaving America, not because we're making them stay, not because we're going to tax them if they leave, but because we make America the magnet for job creation and economic activity across the planet. Today, we're the worst. Tomorrow, we can bring ourselves back to the middle.

My question to the body today is: Why don't we commit ourselves to making America the very best place to do business on the planet?

We can continue to borrow money from the Chinese if we want to. We can continue to add burden to all the young people in America if we want to—or we can take America back to our roots. There is no more productive worker on the planet than the American worker. If we free the American worker, if we free the American entrepreneur through a Tax Code that the American people can understand, we will bring a new era of prosperity to America, the likes we have not seen in my lifetime.

With that, Mr. Speaker, I yield back the balance of my time.

#### IMMIGRATION REFORM

The SPEAKER pro tempore (Mr. RODNEY DAVIS of Illinois). Under the Speaker's announced policy of January 3, 2013, the gentleman from Iowa (Mr. KING) is recognized for the remainder of the hour as the designee of the majority leader.

Mr. KING of Iowa. Thank you, Mr. Speaker. It's my privilege to address you here on the floor of the House of Representatives.

It's a bit of a frustration not to be picking up after Mr. WOODALL in support of the FairTax; although, I want to let you know that I had long been a supporter of the FairTax before it had a name, before it had a bill, before it had a concept that was nationally discussed. I just began to discuss it from my own business perspective because of my experience in starting a business in 1975, employing people and seeing what happens when you have a tax system that doesn't tax consumption but punishes productivity in America.

□ 1520

But I came here, Mr. Speaker, to bring up the immigration issue, which has been operating in the media to some degree, but mostly behind the scenes, delivered by the Gang of Eight over in the Senate and a group behind the scenes here in the House of Representatives. They will put out a little

trial balloon of what they want the press to talk about, and maybe have a little press conference to launch their endeavor. We saw that with the Gang of Eight. And yet, the deliberations, the discussions, the input, the ideas that are injected, versus the ideas that are rejected, haven't had the light of day.

Now we understand that perhaps tomorrow there will be a release of a bill, and I have in my hand a preview of what that bill is most likely to be. Of course, there are changes that could be made, and I want to qualify my delivery here, but I want to discuss what I think about the pieces of it that I've read so far, Mr. Speaker.

So the Gang of Eight's proposal, which we think will emerge tomorrow or perhaps the next day, it works out to be this: the case, the goal for border security, Mr. Speaker, is for the achievement of a 90 percent effectiveness rate of border security. Ninety percent. How do you measure that? Well, there are some metrics there, but it is an equation that essentially says that those that we stop, interdict, perhaps deport, divided by the number who attempt to cross. Now, that's a nice little formula, and it would make sense until you think a little more deeply into it. These are human beings that are being counted. They act in ways that are perhaps wiser than the numbers. But in any case, a 90 percent effectiveness rate can't be measured in an objective way.

We know that there was a sector of the border that was surveilled by drone; 150 square miles was reported to be surveilled, and I know that's not linear, it's square. And out of that, there were nearly 4,000 illegal border crossings in that period of time in that section of the border that they surveilled, for roughly not 24-7 but roughly 8 hours a day kind of on average for a period of time from October 1 until January 17 of this year. The border crossings that they interdicted with the help of the drone came to a number in excess, some number approaching 1,700 or so. And those who got by, even though they were observed by the drone, was a number greater. Even with drone assistance, they weren't able to interdict 50 percent of those that they observed cross the border.

We don't have full-time surveillance over the border. And by the way, that is not something that works as effectively in all weather conditions and all light conditions. There are still circumstances where we can't see from the air, certain conditions when we can't fly. But even under the best of conditions when they had surveillance from the air, they still, with all of the forces they could bring to bear or did bring to bear on it, they still couldn't interdict half of the people coming across the border through a 150-square mile section of the border.

So the promise is that we would have 90 percent enforcement effectiveness of the high-risk sectors of the southern

border; high-risk sectors of the border to be designated by the Secretary of Homeland Security, who is no doubt presiding over the current situation that we have. They would also appropriate \$3 billion to implement the strategy, and another \$1.5 billion for infrastructure along the border. That would be southern border fencing strategy established by the Secretary. Now we're up to \$4.5 billion additional dollars applied to the southern border. We have applied billions of dollars to the southern border. We've ramped up the number of Border Patrol agents and CBP agents that we have on the southern border. We passed the Secure Fence Act here in this Congress. It passed the House, passed the Senate, and was signed by the President. And still, that was about 854 miles of border altogether, but the linear section, there are a lot of crooks in that border along the way so it is roughly 700 effective miles of the border. We can't build that because of political opposition that took place on the Senate side. A former Senator who was a Republican put an amendment in to block some of the construction of the fence on the border. We can't get access to the border over some of the areas because it's national park or national monument land, and so we let that be under the control of illegal immigrants to a point where a Member of Congress is locked out, blocked out of national park, national monument land, because it's too dangerous from a security standpoint for a Member of Congress to go down into that area.

Now I admit that this bill does address some of that, but I want to point out, Mr. Speaker, that the last time I calculated the cost of our investment to secure our southern border, and it has been several years ago, we had gone from \$4 million a mile to \$6 million a mile in our investment. And we've gone up substantially since then. But think of what that means: \$6 million a mile, and we still have a porous southern border. That says lack of will. It doesn't say lack of resources.

Now for those of us that are thinking about how that applies, people, especially rural people, and where I come from, we have a gravel road every mile and a grid system. So where I live on the corner of a gravel road, there is a gravel road that runs a mile in each of four different directions. And if Janet Napolitano came to me and said, STEVE KING, I'm going to offer you \$6 million a mile to guard your west road, and I want you to make sure that only 10 percent of the people who want to go across there get across, and I recognize that 60, 70, 80 or more percent of them are crossing now. In fact, we have Border Patrol testimony that shows that they're only interdicting perhaps 25 percent of those that cross the border, and those are the ones that we do see.

When I go down to the border and ask the people who are front line, boots on the ground people, the most consistent number I get from them is 10 percent.

But even if it is 25, and even if at the peak of the illegal crossings that we had several years ago, as reflected in that fashion, that 25 percent, that means that we were having 11,000 a night go across our southern border, 4 million illegal crossings a year. Maybe that's down to only 2 million now, but I suspect it's more than that. But in any case, the \$6 million a mile, plus what we've added since the last time I calculated it, plus the numbers they have here, this \$4.5 billion that they would add, takes us up to at least \$8.25 million a mile.

Now if Janet Napolitano says, STEVE KING, I have \$8.25 million for you for this year, and I want you to achieve more efficiency and security along your west mile than we've had before, would I then hire myself a whole group of Border Patrol agents to stand there and buy them Humvees and put on uniforms and buy their arms and set up the health care plan and the retirement plan and take that perpetual liability for the balance of their lives for the purpose of guarding that mile? Some of it I would, Mr. Speaker. Some of it I would.

But some of it, I would put an infrastructure in place. I would build a fence, a wall, and a fence across the areas where people are crossing. And I have not advocated that we build 2,000 miles of fence on our southern border, but I have consistently advocated that we build it, keep extending our fence at the most illegally crossed places until such time they stop going around the end. And if it happens that they don't stop going around the end, ultimately we'd end up with 2,000 miles—a fence, wall, and a fence on the southern border.

If you think it's too expensive or too difficult, no, Mr. Speaker, it's not—\$8.25 million a mile. And we do our budgeting here for a 10-year budget window, so that's over \$80 million that Janet Napolitano would offer me to guard one mile of it, if this were the scenario that I painted. For \$80 million and a 10-year contract, do you think we couldn't find a little more efficiency on my west mile than we have today? Of course we could. You could guarantee a very high degree of efficiency, substantially higher than 90 percent.

I would submit that the Israelis, who built a fence on their border to protect them from people that were coming in, have not spent as much money on the border to construct a fence as we're spending every year to watch the desert, and they get a 99-point-something percent efficiency. In fact, I'd suggest it's 99.9 percent. And why? Why do they have that efficiency, because their very lives depend upon it, Mr. Speaker. Because they have people coming into Israel who are willing to walk onto a bus with a bomb strapped on them and blow themselves up for the purpose of killing Israelis.

Now most of the time in this country that's not the circumstance we are faced with today, thankfully, but occasionally it is. And this needs to be part

of our dialogue, too, Mr. Speaker. But the cost on the southern border of adding another \$4.5 billion, getting us up to over \$8 billion in order to try to get the promise of security, and what's the tradeoff that comes? The tradeoff is they want to promise border security. They want to promise workplace enforcement by adding to this legislation mandatory E-Verify. Now without looking at the language, I don't think that language is going to include that mandatory E-Verify will even allow the employer to check his current employees.

What they're going to say is, if you came into the United States and you're unlawfully present in America, they under their bill will instantaneously legalize everyone who's here illegally, with some exceptions.

□ 1530

Some of the exceptions would be if you've been guilty of a felony, or if you're convicted of three misdemeanors, not serious, but three misdemeanors, and then, if you have been in the United States since December 31 of 2011.

Here's the inadmissible. You can't be admitted for criminal, national security, public health or other morality grounds. No definition of "other morality grounds."

But if you were previously here before December 31, 2011. Why is that?

Well, I think that probably is the date when they began talking openly about their plan, so they don't want to have the responsibility of being the magnet that has attracted people to come into the United States illegally in order to access the amnesty plan that they're devising in the Senate and they're devising behind closed doors here in the House.

Now, amnesty. Some of them have even tried to define amnesty. I've consistently defined it, Mr. Speaker. To grant amnesty is to pardon immigration lawbreakers and reward them with the objective of their crime. It's a pardon and a reward. That's exactly what is in this document that represents a summary of perhaps 1,500 pages that's about to emerge in a day or so.

And if we are to pardon and reward and instantly legalize everyone that's here in the United States, with exceptions of those who have committed a felony or those who have three misdemeanors, then what are we to expect?

Oh, even with this bill, they would reach out and say to people, if you have been deported, we invite you to come back to America and you can sign up under our plan that is called the RPI plan. It's a little bit bizarre so I didn't get the—it's the Registered Provisional Immigrant status plan.

So this country would offer such a thing to people who have already been adjudicated and already been sent back to their home country, bring them back. This doesn't just grant amnesty. It reaches backwards and gets people that have been sent home, where they can wake up in the country legally.

And by the way, that's the minimum penalty that we can have. If we're going to have any kind of immigration law at all in this country, if we're not willing to put people back in the condition that they were in before they broke the law, we have no enforcement whatsoever. There will be no deterrent whatsoever.

And they would ask us to believe that, after they instantaneously legalized everybody that's here in America, that they would slowly pick out those who were felons and those who have been convicted of three serious misdemeanors and slowly send them back to their home countries.

They would also ask us to believe that there's a longer waiting period and a more difficult process to citizenship, so it's not a path to citizenship.

Well, the first thing is, a green card is a path to citizenship. And a path to a green card is a path to citizenship, just as surely as a green card is a path to citizenship.

And they would have us believe that, in the period of 5 or 10 years, depending, if they haven't reached operational control of the border, that somehow this whole thing falls apart and there wouldn't be this promise of amnesty any longer.

So can anyone imagine, after the decades of not enforcing immigration law, if this Congress instantaneously legalized everyone who is here, with exceptions, that after a period of 5 to 10 years of the failure of enforcement—remember that promise of enforcement that Ronald Reagan couldn't keep?

After 5 to 10 years of the failure of enforcement somehow there will be a change of heart and there will actually be enforcement of immigration law? No.

In fact there'd be a promise, if a bill like that is passed, that there would never be enforcement of immigration law, that this would be the most recent amnesty, and that anyone who could come in the United States and live in the shadows would eventually be the beneficiary of the next amnesty, at the price of the rule of law, Mr. Speaker.

And when I make the point for them, take a deep breath, step back, look at this thing, get it in focus, turn it into focus, they say, well, we recognize that maybe this doesn't do the things electorally on the path of political expediency that we would like, but we have to start the conversation.

Can anyone point to a successful model in history where any culture,

any civilization, let alone the unchallenged greatest Nation of the world, sacrifices the rule of law, a pillar of exceptionalism, in order to start a conversation?

That's what's happening coming out of the Senate tomorrow, Mr. Speaker. That's what some would like to see happen here in the House of Representatives very soon. That's what I will resist very vigorously.

With that, Mr. Speaker, I yield back the balance of my time.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 3 o'clock and 35 minutes p.m.), the House stood in recess.

□ 1801

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. Foxx) at 6 o'clock and 1 minute p.m.

## REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 624, CYBER INTELLIGENCE SHARING AND PROTECTION ACT

Mr. WOODALL, from the Committee on Rules, submitted a privileged report (Rept. No. 113-41) on the resolution (H. Res. 164) providing for consideration of the bill (H.R. 624) to provide for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes, which was referred to the House Calendar and ordered to be printed.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CULBERSON (at the request of Mr. CANTOR) for today on account of illness.

## ADJOURNMENT

Mr. WOODALL. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 2 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, April 17, 2013, at 10 a.m. for morning-hour debate.

## EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the first quarter of 2013 pursuant to Public Law 95-384 are as follows: